



Alan C. Lloyd, Ph.D.
Agency Secretary

California Regional Water Quality Control Board
North Coast Region
Beverly Wasson, Chairperson

<http://www.waterboards.ca.gov/northcoast>

5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: 1 (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135



Arnold
Schwarzenegger
Governor

May 11, 2005

Mr. Jim Barnts
City of Crescent City
377 J Street
Crescent City, CA 95531

Dear Mr. Barnts:

Subject: Issuance of Clean Water Act Section 401 (Water Quality Certification) for the Crescent City Wastewater Effluent Outfall Pipeline Replacement Project

File: Crescent City Wastewater Effluent Outfall Pipeline
WDID No. 1A05010WNDN

This Order by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), is being issued pursuant to Section 401 of the Clean Water Act (33 USC 1341). The Order is being issued in response to your request, on behalf of the City of Crescent City (applicant), for a Clean Water Act, Section 401, Water Quality Certification to conduct boring activities under and adjacent to the Pacific Ocean for the replacement of a wastewater effluent pipeline. The Regional Water Board received an application and processing fee in the amount of \$500 on January 31, 2005. The application was deemed complete on April 11, 2005, following submittal of additional information addressing drilling procedures, disposal plans, and monitoring of horizontal directional drilling and permeation grouting operations. Information describing the proposed project was noticed for public comment for a 21-day period starting on March 25, 2005, on the Regional Water Board's web site. No comments were received.

Project Description:

An approximately 1,700-foot section of 24-inch pipe will be installed between Howe Drive Park and the existing effluent outfall on the south side of Battery Point Lighthouse using the horizontal directional drilling (HDD) method. The HDD drill rig will set up at Howe Drive Park. Drilling operations will begin by boring a 4-inch diameter pilot hole. The pilot hole will be reamed to an interior diameter of about 32 inches. Drilling fluid and cuttings will be removed from the site and transported to a permitted facility when drilling is complete.

California Environmental Protection Agency

Recycled Paper

A geotechnical study was conducted to evaluate the potential for drilling fluid loss through fractures in the subsurface. The study identified slightly to moderately fractured siltstone and sandstone of the Battery Formation in the outfall area that could cause the release of drilling fluid to coastal waters. To mitigate for the potential loss of drilling fluid, injection grouting will be performed along an approximately 200-foot section of the pipeline alignment at the outfall end of the pipeline to plug rock fractures prior to drilling horizontally through the fractured area to reduce the risk of drilling fluid loss. Environmental controls for directional drilling and best management practices will be implemented to prevent impacts to water quality. The *Drilling Fluid Release Monitoring Plan* (Plan) for HDD outlines monitoring procedures for the HDD operations to identify a loss of drilling fluid and to detect a release to the surface. The HDD Contractor's personnel and Engineer's personnel will attend on-site training prior to the start of construction that will cover the Plan, the need for environmental protection measures, permit conditions, and other related matters.

A stainless steel pressure vessel (manhole) will be installed near the end of the new outfall pipe. Construction of the manhole involves hand tools and labor to excavate a hole through native rock material and some existing concrete associated with the existing outfall pipe. Concrete waste will be hauled offsite. Native rock will be sidecast to the adjacent ocean and shoreline area around the manhole.

Receiving Water:	Pacific Ocean in the Smith River Plain Hydrologic Subarea No. 103.11
Filled or Excavated Area:	Area Temporarily Impacted: none Area Permanently Impacted: 0.01 acre
Federal Permit:	U.S. Army Corps of Engineers Nationwide Permit 7 (24461N)
Total Linear Impacts:	Length Temporarily Impacted: 0 feet Length Permanently Impacted: 0 feet
Latitude/Longitude:	41.74008N/124.18571W

Compensatory Mitigation:	None
Noncompensatory Mitigation:	Noncompensatory mitigation measures include the use of Best Management Practices for HDD operations.
CEQA Compliance:	Crescent City, as the lead California Environmental Quality Act agency, certified a Supplemental Environmental Impact Report for the project on February 22, 2005.
Standard Conditions:	<p>Pursuant to Title 23, California Code of Regulations, Section 3860 (23 CCR 3860), the following three standard conditions shall apply to this project:</p> <ol style="list-style-type: none">1) This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and 23 CCR 3867.2) This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.3) The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR 3833, unless otherwise stated in writing by the certifying agency.
Additional Conditions:	<p>Pursuant to 23 CCR 3859(a), the applicant shall comply with the following additional conditions:</p> <ol style="list-style-type: none">1) The Regional Water Board shall be notified at least five working days (working days are Monday – Friday) prior to the commencement of the project, with details regarding the construction schedule, in order to allow staff to be present on-site during construction, and to

answer any public inquiries that may arise regarding the project.

- 2) No debris, soil, silt, sand, bark, slash, sawdust, rubbish, drilling fluid, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this permit, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris, other than that authorized by this permit, shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any surface water.
- 3) Creation of pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code, is prohibited.
- 4) A copy of this permit must be provided to the Contractor and all subcontractors conducting the work, and must be in their possession at the work site.
- 5) Crescent City's contractor(s) shall prepare and implement the *Crescent City Ocean Outfall Project Drilling Fluid Release Monitoring Plan for Horizontal Directional Drilling* (Monitoring Plan) using the template (Appendix A Example Plan) provided in the application.
- 6) The Agency Notification Call Down List (Appendix B) in the Monitoring Plan shall include contact information and phone numbers for the North Coast Regional Water Quality Control Board at (707) 576-2220 and the California Department of Fish and Game, OSPR Spill Notification, at (916) 445-0045.
- 7) If, at any time, an unauthorized discharge to surface waters occurs (including "frac-out"), or any water quality problem arises, the responsible project activity shall cease immediately and the Regional Water Board and California Department of Fish and Game shall be notified promptly.

- 8) This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address, and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the Project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the Project as described in this Order.

Water Quality Certification:

I hereby issue an order [23 CCR Subsection 3831(e)] certifying that any authorized discharge from the Crescent City Wastewater Effluent Outfall Pipeline Replacement Project (Facility No. 1A05010WNDN) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act [33 USC Subsection 1341 (a)(1)], and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Regional

Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan).

Expiration: The authorization of this certification for any dredge and fill activities expires on October 15, 2006. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

Please notify Dean Prat of our staff at (707) 576-2801 prior to construction (pursuant to Additional Condition No. 1 above) so that we can answer any public inquiries about the work.

Sincerely,

Catherine E. Kuhlman
Executive Officer

051105_DLP_tmk_crescentcity_401cert_042505

Enclosure:

State Water Resources Control Board Order No. 2003-0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification"

cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333 Market Street, San Francisco, CA 94599